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प्राधिकार से प्रकाशित

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NEW DELHI, FRIDAY, AUGUST 29, 2008/BHADRA 7, 1930

SUPREME COURT OF INDIA NOTIFICATION

New Delhi, the 28th August, 2008

G.S.R. 623(E).—In exercise of the powers conferred by Article 145 of the Constitution and all other powers enabling it in this behalf, the Supreme Court hereby makes, with the approval of the President, the following Rules further to amend the Supreme Court Rules, 1966, namely:—

- I. (a) These Rules may be called the Supreme Court (Amendment) Rules, 2008.
- (b) They shall come into force on the date of their publication in the Official Gazette.
- II. The following amendments be carried out in the Supreme Court Rules, 1966.
 - (i) Rule 10A (1) of Order XVI be substituted as under:—

Where the petitioner is not represented by an Advocate of his choice, the Court may in a proper case direct the engagement of an advocate amicus curiae at the cost of the State. The fee of the Advocate so engaged shall be such as may, from time to time, be fixed by the Chief Justice of India.

- (ii) Rule 8 (2) of Order XXI be substituted as under:—

As soon as all necessary documents are available the Registrar shall, assign an Advocate from a panel of amicus curiae and thereafter place the petition and complete documents for hearing before the Court. The fee of the advocate so engaged shall be such, as may, from time to time, be fixed by the Chief Justice of India.

- (iii) Rule 25 of Order XXI be substituted as under:—

Where the accused person is not represented by an Advocate on Record of his choice, the Court may, in a proper case direct the engagement of an Advocate at the cost of the Government. The fee of the advocate so engaged shall be such as may, from time to time, be fixed by the Chief Justice of India.

- (iv) Rule 2 of Order XLVIII be substituted as under:—

The record in each case shall be divided into two parts, Part I to be preserved permanently in physical, digitized, scanned, microfilmed or such other form as may be decided by the Chief Justice of India and Part II to be preserved for the period as hereinafter provided.

- (v) Rule 4A of Order XLVIII be substituted as under:—

All papers forming the record relating to admission matters including petitions for preliminary hearing, objections, rejoinder and documents (except original documents), if any, and such like matters may not be retained in the Registry beyond one year of their disposal. Only the index of the documents filed, original documents and the order disposing of the petitions may be preserved permanently and the rest of the papers discarded and destroyed in the manner indicated in the Rule 7 supra.

- (vi) Item 7 in Part I of Order XLVIII be substituted as under : —

Petition of appeal, reply in petition of appeal and rejoinder to the reply, with such annexures as are original documents.

- (vii) Item 9 in Part I of Order XLVIII be substituted as under : —

Original petitions including admitted Special Leave Petitions and Article 32 petitions, objection/reply to the notice and rejoinder to the reply, with such annexures as are original documents.

- (viii) Item 15 in Part I of Order XLVIII be substituted as under : —

Original documents

- (ix) Item 16 in Part I of Order XLVIII be substituted as under : —

Papers of historical, sociological, scientific or archival value and such other papers, as in the opinion of the Court or the Registrar should be permanently preserved.

- (x) Item 8 of Part II of Order XLVIII be substituted as under : —

"Unclaimed documents other than original documents" [one year]

By Order of the Court.

[F. 1/2008/RR]

M. P. BHADRAN, Registrar (Court)